



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZAUDERER *et al.*

Appl. No.: 10/052,942

Filed: January 23, 2002

For: **Methods of Producing for
Identifying Intrabodies in
Eukaryotic Cells**

Confirmation No.: 1028

Art Unit: 1639

Examiner: Epperson, Jon D.

Atty. Docket: 1821.0090004/EJH/T-M

**Fifth Supplemental Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(b)**

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth, Third, and Second Supplemental Information Disclosure Statements filed on August 6, 2004, September 22, 2003, and July 1, 2003, respectively, in connection with the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **AA4-AI6**, cited on the attached Form PTO/SB/08A are not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is

not in issue. Applicants have listed publication dates on the attached Form PTO/SB/08A based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

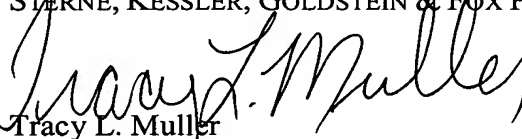
This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO/SB/08A, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee
deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy L. Muller
Attorney for Applicants
Registration No. 55,472

Date: February 2, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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**FIFTH SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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| Sheet | 1 | of | 2 |
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Complete if Known

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|------------------------|----------------------|
| Application Number | 10/052,942 |
| Filing Date | January 23, 2002 |
| First Named Inventor | Maurice ZAUDERER |
| Art Unit | 1639 |
| Examiner Name | Epperson, Jon D. |
| Attorney Docket Number | 1821.0090004/EJH/T-M |

U.S. PATENT DOCUMENTS

| Examiner Initials [*] | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (If Known) | | | |
| | AA4 | 5,225,539 | 07/06/1993 | Winter | |
| | AB4 | 5,565,332 | 10/15/1996 | Hoogenboom <i>et al.</i> | |
| | AC4 | 5,571,698 | 11/05/1996 | Ladner <i>et al.</i> | |
| | AD4 | 5,618,920 | 04/08/1997 | Robinson <i>et al.</i> | |
| | AE4 | 5,733,743 | 03/31/1998 | Johnson <i>et al.</i> | |
| | AF4 | 5,780,225 | 07/14/1998 | Wigler and Sorge | |
| | AI4 | 5,789,208 | 08/04/1998 | Sharon | |
| | AJ4 | 5,807,715 | 09/15/1998 | Morrison <i>et al.</i> | |
| | AK4 | 5,830,663 | 11/03/1998 | Embleton <i>et al.</i> | |
| | AA5 | 5,837,500 | 11/17/1998 | Ladner <i>et al.</i> | |
| | AB5 | 5,871,907 | 02/16/1999 | Winter <i>et al.</i> | |
| | AC5 | 5,885,793 | 03/23/1999 | Griffiths <i>et al.</i> | |
| | AD5 | 5,916,771 | 06/29/1999 | Hori <i>et al.</i> | |
| | AE5 | 5,959,177 | 09/28/1999 | Hein <i>et al.</i> | |
| | AF5 | 5,962,255 | 10/05/1999 | Griffiths <i>et al.</i> | |
| | AG5 | 5,965,405 | 10/12/1999 | Winter <i>et al.</i> | |
| | AH5 | 6,010,861 | 01/04/2000 | Blume | |
| | AI5 | 6,057,098 | 05/02/2000 | Buechler <i>et al.</i> | |
| | AJ5 | 6,130,364 | 10/10/2000 | Jakobovits and Zsebo | |
| | AK5 | 6,248,516 B1 | 06/19/2001 | Winter <i>et al.</i> | |

FOREIGN PATENT DOCUMENTS

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * Applicant's unique citation designation number (optional). * See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. * Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). * For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. * Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. * Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Name | Epperson, Jon D. |
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